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Attorneys for BANK OF AMERICA, N.A.
 successor by merger to BAC HOME LOANS
 SERVICING, LP; and U.S. BANK, N.A. AS
 TRUSTEE FOR THE CERTIFICATEHOLDERS
 OF BANC OF AMERICA FUNDING
 CORPORATION MORTGAGE PASS-
 THROUGH CERTIFICATES SERIES 2007-D

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA — SAN FRANCISCO DIVISION

JOY CHIN AND JACK CHIN,

Plaintiffs,

vs.

BANK OF AMERICA, N.A. as successor by
 merger TO BAC HOME LOANS
 SERVICING, L.P. and U.S. BANK, N.A. AS
 TRUSTEE FOR THE
 CERTIFICATEHOLDERS OF BANC OF
 AMERICA FUNDING CORPORATION
 MORTGAGE PASS-THROUGH
 CERTIFICATES SERIES 2007-D,

Defendant.

Case No. 3:13-cv-02704-EDL

**STIPULATION TO STAY LITIGATION
 FOR 90 DAYS**

The Hon. The Hon. Elizabeth D. Laporte

Action Filed: June 25, 2013

Trial Date: not set

RECITALS

1. This action was filed by Joy Chin and Jack Chin on June 25, 2013. The action is
 filed as an action under the court's Diversity Jurisdiction.

2. The Plaintiffs allege seven claims for relief surrounding their allegations that the
 Defendants Bank of America, N.A. successor by merger to BAC Home Loans Servicing, LP; and

1 U.S. Bank, N.A. as Trustee for the Certificateholders of Banc of America Funding Corporation
2 Mortgage Pass-Through Certificates SERIES 2007-D have wrongfully sought to foreclose on their
3 real property at 1820 Barossa Drive, San Ramon, California. The claims for relief include (1)
4 Breach of Contract, (2) False or Misleading Representations in the Collection of a Debt, (3)
5 Negligence, (4) Intentional Infliction of Emotional Distress, (5) Negligent Infliction of Emotional
6 Distress, (6) Reporting Inaccurate Credit Information, and (7) Violation of Business and
7 Professions Code §17200.

8 3. Since the filing and service of this Complaint, the parties have discussed active and
9 meaningful settlement negotiations. The details of the settlement negotiations will include a good
10 faith review of the Plaintiffs for a loan modification. Because the review process is time-
11 consuming, the Parties seek a stay of the litigation for 90 days to allow time to explore settlement
12 without incurring the expense and uncertainties of litigation.

13 **STIPULATION**

14 **IT IS THEREFORE STIPULATED AND AGREED**, by and between Plaintiffs and
15 Defendants, and subject to the approval of the Court, that:

- 16 1. This action shall be stayed until October 23, 2013.
- 17 2. The time for Defendants to file a responsive pleading to the Complaint shall be
18 extended to October 23, 2013.
- 19 3. During the duration of the stay, Defendants shall not take any action to foreclose on
20 the property located at 1820 Barossa Drive, San Ramon, California.
- 21 4. All discovery, meet and confer dates, and initial case management dates will be
22 continued a like amount of time to dates consistent with the court's pleasure.
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1 DATED: July 24, 2013

SEVERSON & WERSON
A Professional Corporation

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3
4 By: /s/ David E. Pinch
David E. Pinch

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6 Attorneys for BANK OF AMERICA, N.A. successor by
merger to BAC HOME LOANS SERVICING, LP; and U.S.
7 BANK, N.A. AS TRUSTEE FOR THE
8 CERTIFICATEHOLDERS OF BANC OF AMERICA
FUNDING CORPORATION MORTGAGE PASS-
9 THROUGH CERTIFICATES SERIES 2007-D

10
11 DATED: July 24, 2013

HOUSING AND ECONOMIC RIGHTS ADVOCATES

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13 By: /s/ Elizabeth S. Letcher
Elizabeth S. Letcher

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15 Attorneys for JOY CHIN and JACK CHIN